

Exhibit No. 2Date 4-5Bill No. HB 676

Amendments to House Bill No. 676
3rd Reading Copy

Requested by Senator Keith Bales

For the Senate Finance and Claims Committee

Prepared by Greg Petesch
April 3, 2009 (7:37am)

1. Title, line 13.

Following: line 12

Insert: "PROVIDING A 1 PERCENT INCREASE IN EACH YEAR OF THE 2011
BIENNIUM IN THE BASIC ENTITLEMENT AND THE TOTAL PER-ANB
ENTITLEMENT;"

2. Title, line 22.

Following: "17-7-111,"

Insert: "20-9-306,"

3. Title, line 24.

Strike: "A RETROACTIVE APPLICABILITY DATE"

Insert: "APPLICABILITY DATES"

4. Page 15.

Following: line 6

Insert: "Section 11. Section 20-9-306, MCA, is amended to read:

"20-9-306. Definitions. As used in this title, unless the
context clearly indicates otherwise, the following definitions
apply:

- (1) "BASE" means base amount for school equity.
- (2) "BASE aid" means:
 - (a) direct state aid for 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district;
 - (b) guaranteed tax base aid for an eligible district for any amount up to 35.3% of the basic entitlement, up to 35.3% of the total per-ANB entitlement budgeted in the general fund budget of a district, and 40% of the special education allowable cost payment;
 - (c) the total quality educator payment;
 - (d) the total at-risk student payment;
 - (e) the total Indian education for all payment; and
 - (f) the total American Indian achievement gap payment.
- (3) "BASE budget" means the minimum general fund budget of a district, which includes 80% of the basic entitlement, 80% of the total per-ANB entitlement, 100% of the total quality educator payment, 100% of the total at-risk student payment, 100% of the total Indian education for all payment, 100% of the total American Indian achievement gap payment, and 140% of the special

education allowable cost payment.

(4) "BASE budget levy" means the district levy in support of the BASE budget of a district, which may be supplemented by guaranteed tax base aid if the district is eligible under the provisions of 20-9-366 through 20-9-369.

(5) "BASE funding program" means the state program for the equitable distribution of the state's share of the cost of Montana's basic system of public elementary schools and high schools, through county equalization aid as provided in 20-9-331 and 20-9-333 and state equalization aid as provided in 20-9-343, in support of the BASE budgets of districts and special education allowable cost payments as provided in 20-9-321.

(6) "Basic entitlement" means:

(a) for each high school district:

(i) ~~\$236,552~~ \$246,085 for fiscal year ~~2008~~ 2010; and

(ii) ~~\$243,649~~ \$248,546 for each succeeding fiscal year;

(b) for each elementary school district or K-12 district elementary program without an approved and accredited junior high school, 7th and 8th grade program, or middle school:

(i) ~~\$21,290~~ \$22,141 for fiscal year ~~2008~~ 2010;

(ii) ~~\$21,922~~ \$22,362 for each succeeding fiscal year; and

(c) for each elementary school district or K-12 district elementary program with an approved and accredited junior high school, 7th and 8th grade program, or middle school:

(i) for kindergarten through grade 6 elementary program:

(A) ~~\$21,290~~ \$22,141 for fiscal year ~~2008~~ 2010; and

(B) ~~\$21,922~~ \$22,362 for each succeeding fiscal year; plus

(ii) for an approved and accredited junior high school program, 7th and 8th grade program, or middle school:

(A) ~~\$60,275~~ \$62,074 for fiscal year ~~2008~~ 2010; and

(B) ~~\$62,083~~ \$63,331 for each succeeding fiscal year.

(7) "Budget unit" means the unit for which the ANB of a district is calculated separately pursuant to 20-9-311.

(8) "Direct state aid" means 44.7% of the basic entitlement and 44.7% of the total per-ANB entitlement for the general fund budget of a district and funded with state and county equalization aid.

(9) "Maximum general fund budget" means a district's general fund budget amount calculated from the basic entitlement for the district, the total per-ANB entitlement for the district, the total quality educator payment, the total at-risk student payment, the total Indian education for all payment, the total American Indian achievement gap payment, and the greater of:

(a) 175% of special education allowable cost payments; or

(b) the ratio, expressed as a percentage, of the district's special education allowable cost expenditures to the district's special education allowable cost payment for the fiscal year that is 2 years previous, with a maximum allowable ratio of 200%.

(10) "Over-BASE budget levy" means the district levy in support of any general fund amount budgeted that is above the

BASE budget and below the maximum general fund budget for a district.

(11) "Total American Indian achievement gap payment" means the payment resulting from multiplying \$200 times the number of American Indian students enrolled in the district as provided in 20-9-330.

(12) "Total at-risk student payment" means the payment resulting from the distribution of any funds appropriated for the purposes of 20-9-328.

(13) "Total Indian education for all payment" means the payment resulting from multiplying \$20.40 times the ANB of the district or \$100 for each district, whichever is greater, as provided for in 20-9-329.

(14) "Total per-ANB entitlement" means the district entitlement resulting from the following calculations and using either the current year ANB or the 3-year ANB provided for in 20-9-311:

(a) for a high school district or a K-12 district high school program, a maximum rate of ~~\$5,861~~ \$6,097 for fiscal year ~~2008~~ 2010 and ~~\$6,037~~ \$6,158 for each succeeding fiscal year for the first ANB, decreased at the rate of 50 cents per ANB for each additional ANB of the district up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB;

(b) for an elementary school district or a K-12 district elementary program without an approved and accredited junior high school, 7th and 8th grade program, or middle school, a maximum rate of ~~\$4,579~~ \$4,763 for fiscal year ~~2008~~ 2010 and ~~\$4,716~~ \$4,811 for each succeeding fiscal year for the first ANB, decreased at the rate of 20 cents per ANB for each additional ANB of the district up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(c) for an elementary school district or a K-12 district elementary program with an approved and accredited junior high school, 7th and 8th grade program, or middle school, the sum of:

(i) a maximum rate of ~~\$4,579~~ \$4,763 for fiscal year ~~2008~~ 2010 and ~~\$4,716~~ \$4,811 for each succeeding fiscal year for the first ANB for kindergarten through grade 6, decreased at the rate of 20 cents per ANB for each additional ANB up through 1,000 ANB, with each ANB in excess of 1,000 receiving the same amount of entitlement as the 1,000th ANB; and

(ii) a maximum rate of ~~\$5,861~~ \$6,097 for fiscal year ~~2008~~ 2010 and ~~\$6,037~~ \$6,158 for each succeeding fiscal year for the first ANB for grades 7 and 8, decreased at the rate of 50 cents per ANB for each additional ANB for grades 7 and 8 up through 800 ANB, with each ANB in excess of 800 receiving the same amount of entitlement as the 800th ANB.

(15) "Total quality educator payment" means the payment resulting from multiplying \$3,036 for fiscal year 2008 and \$3,042 for each succeeding fiscal year times the number of full-time

equivalent educators as provided in 20-9-327."

{ Internal References to 20-9-306:

20-5-323 x 20-5-323x 20-7-102x 20-9-327x

20-9-329 x 20-9-330x } "

Renumber: subsequent sections

5. Page 22, line 15.

Strike: "16"

Insert: "17"

6. Page 22, line 16.

Strike: "16"

Insert: "17"

7. Page 22, line 20.

Strike: "Retroactive applicability"

Insert: "Applicability"

Following: "applicability."

Insert: "(1)"

8. Page 22.

Following: line 21

Insert: "(2) [Section 11] applies to school budgets for school
fiscal years beginning on or after July 1, 2009."

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